IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

OP.No. 7160 of 2002(B)

PETITIONER:

K.S.R.T.C.,REPRESENTED BY ITS MANAGING DIRECTOR,TRANSPORT BHAVAN,EAST FORT,TRIVANDRUM

BY ADV. SRI.T.RAVIKUMAR, SC, KSRTC
SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

RESPONDENTS:
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1. THE REGIONAL TRANSPORT AUTHORITY, KOZHIKODE,REPRESENTED BY THE SECRETARY.

2. MR.P.K.DASAN,PANDAYIL HOUSE, KOONAMOOCHI P.O.,THRISSUR.

BY ADV. SRI.G.PRABHAKARAN
BY GOVERNMENT PLEADER SMT.N.SUDHADEVI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.12681/2002 IN OP. 7160/2002

DISMISSED

08.03.2007 **SD/- K.BALAKRISHNAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT IN M.V.A.A NO.405/01 DT.6.8.01.

EXT.P2:- COPY OF THE NOTIFICATION OF THE SCHEME KOZHIKODE – SULTAN BATHERI DT.3.2.1986.

EXT.P3:- COPY OF THE NOTIFICATION OF THE KOZHIKODE – GURUVAYOOR D.T.1.3.06.

RESPONDENTS EXHIBITS

EXT.R2(a):- COPY OF THE JUDGMENT OF THIS HONOURABLE COURT MADE IN OP. NO.5345/01. DT.5.3.01.

EXT.R2(b):- COPY OF THE PROCEEDINGS OF THE RTA, KOZHIKODE HELD ON 29.5.01 WITH IS NO.G1/4831/99.

EXT.R2(b)1. COPY OF THE PROCEEDINGS OF THE RTA KOZHIKODE HELD ON 29.5.01 WITH ITS NO. G1/4020/2000.

EXT.R2(b) 2. CIOP PROCEEDINGS OF THE SECRETARY RTS, KOZHIKODE WITH ITS NO.C2/43115/2000 DT.19.1.01.

EXT.R2(b) 3. COPY OF THE REGULAR PERMIT WITH ITS NO.P.ST.C2/2/98 ISSUED TO ONE C.L.ANDREWS DT.13.1.98.

EXT.R2(b) 4. COPY OF THE PROCEEDINGS OF SECRETARY, RTA, WAYANAD WITH ITS NO.C5/3359/01/W DT.16.8.01.

EXT.R2(b) 5. COPY OF THE REGULAR PERMIT WITH ITS NO.P.ST, C5/43/01/W DT. 21.8.01.

EXT.R2(c):- COPY OF THE ORDER IN CMP. NO.44930/01 IN OP. 27630/01 DT.18.9.01.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

O.P.No.7160 of 2002-B

Dated this the 8th day of March, 2007

JUDGMENT

Owing to efflux of time no relief could be granted to the petitioner in this original petition. If the permit granted to the second respondent is renewed, the petitioner will be free to object the same by raising all the contentions available to it under the law. Subject to that right and without prejudice to the contentions of the petitioner, the original petition is closed as infructuous.

K.BALAKRISHNAN NAIR, JUDGE.

MS

K.BALAKRISHNAN NAIR, J.

O.P.NO.7160 OF 2002-B

JUDGMENT

DATED 8TH MARCH, 2007